

REMARKS

In this Amendment, Claim 1 has been amended to incorporate the subject matter of Claim 4 while deleting the phrase "a higher alcohol fatty acid ester" from the Markush group. Claim 4 has accordingly been cancelled.

No new matter has been added and thus, entry of the Amendment is respectfully submitted to be proper. Upon entry of the Amendment, Claims 1-3 and 5-8 will be all the claims pending in the application.

The Examiner indicates that the changes made to 102(e) do not apply to the present application.

Applicants respectfully object to this statement.

The amendment made to §102(e) applies to all the applications filed on or after November 29, 2000. This application was filed on August 23, 2001. Therefore, the amendment to §102(e) is applicable. my mistake

Accordingly, Applicants respectfully request that the Examiner withdraw the statement. ok

In Paragraph No. 3 of the Office Action, Claims 1-6 have been rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Fujisawa et al (U.S. 6,262,330).

In Paragraph No. 5 of the Office Action, claims 1-6 and 8 have been rejected under 35 U.S.C. §103(a) as allegedly being obvious over Fujisawa et al.

Applicants respectfully submit that Claims 1-6 and 8 as amended are not anticipated by or rendered *prima facie* obvious from Fujisawa et al. In this Amendment, as mentioned above, Applicants have amended Claim 1, from which Claims 2, 3, 5, 6 and 8 depend, to further define

the fatty acid ester. Specifically, Claim 1 has been amended to recite that “the fatty acid ester is at least one selected from the group consisting of a glycerol fatty acid ester, a sorbitan fatty acid ester, a polyglycerol fatty acid ester and a propylene glycol fatty acid ester.”

Fujisawa et al discloses a medical pressure sensitive tape comprising a base material and a pressure sensitive adhesive layer formed on at least one side of the base material, wherein the base material contains a polyolefin resin and an inorganic filler (Abstract).

Fujisawa et al also discloses that the resin composition may further contain dispersing agents, such as higher fatty acids and fatty acid esters of a higher fatty acid having 10 to 22 carbon atoms with an aliphatic alcohol having 1 to 12 carbon atoms (column 6, lines 1-10). These fatty acid esters are esters of a monovalent fatty acid and a monohydric aliphatic alcohol.

On the other hand, Claim 1 as amended recites as the fatty acid ester either one or more of a glycerol fatty acid ester, a sorbitan fatty acid ester, a polyglycerol fatty acid ester and a propylene glycol fatty acid ester. Fujisawa et al does not disclose or suggest the medical pressure-sensitive adhesive tape or sheet of amended Claim 1. Accordingly, the present invention is not anticipated or rendered *prima facie* obvious from Fujisawa et al.

Further, Applicants respectfully submit that the present invention provides unexpectedly superior results as compared with Fujisawa et al. As shown in Tables 1 to 4, the present invention provides an appropriate flexibility and stress relaxation property to a supporting base material for the medical pressure sensitive adhesive tape or sheet.

In view of the above, the Examiner is respectfully requested to reconsider and withdraw the rejection.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/934,578

In Paragraph No. 6 of the Office Action, Claim 7 has been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Fujisawa et al in view of “admitted prior art,” or Yazaki et al (U.S. Pat. No. 5,326,627).

Applicants respectfully submit that Claim 7 is not *prima facie* obvious over Fujisawa et al in view of “admitted prior art,” or Yazaki et al, for the same reasons as discussed above. Moreover, the secondary references do not rectify the deficiencies of Fujisawa et al.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 4 is canceled.

The claims are amended as follows:

1. (Amended) A medical pressure-sensitive adhesive tape or sheet, which comprises: a supporting base material; and an adhesive layer laminated directly or indirectly on the supporting base material,

wherein the supporting base material contains: 1 to 50 parts by weight of at least one selected from the group consisting of a fatty acid, a fatty acid ester, a fatty acid amide, a higher alcohol, and a metal soap; and 100 parts by weight of at least one resin selected from the group consisting of an olefin thermoplastic elastomer, a styrene thermoplastic elastomer, and a polyester thermoplastic elastomer, wherein the fatty acid ester is at least one selected from the group consisting of a glycerol fatty acid ester, a sorbitan fatty acid ester, a polyglycerol fatty acid ester and a propylene glycol fatty acid ester.